

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

In re: §  
§  
MANADAS CREEK PROPERTIES LLC § Case No. 17-50831  
§  
Debtor §

---

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

RANDOLPH N. OSHEROW, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: 1,300.00 (Without deducting any secured claims)	Assets Exempt: NA
Total Distributions to Claimants: 221,553.05	Claims Discharged Without Payment: NA
Total Expenses of Administration: 314,130.95	

3) Total gross receipts of \$ 2,213,440.46 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 1,677,756.46 (see **Exhibit 2**), yielded net receipts of \$ 535,684.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$ NA	\$ 103,781.98	\$ 103,781.98	\$ 103,781.98
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	NA	314,130.95	314,130.95	314,130.95
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	NA	NA	NA	NA
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	NA	NA	NA	NA
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	NA	117,210.00	117,210.00	117,771.07
<b>TOTAL DISBURSEMENTS</b>	\$ NA	\$ 535,122.93	\$ 535,122.93	\$ 535,684.00

4) This case was originally filed under chapter 7 on 04/07/2017 . The case was pending for 18 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/14/2018 By: /s/RANDOLPH N. OSHEROW  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Land In Laredo, TX	1110-000	1,151,065.46
Land located Monaco Sub- 20.17 acres	1110-000	1,062,375.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$ 2,213,440.46</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
WILLIAM L. ESSEX	Surplus Funds Paid to Debtor 726 (a)(6) (includes Payments to shareholders and limited partners)	8200-050	1,673,517.22
WILLIAM L. ESSEX	Surplus Funds Paid to Debtor 726 (a)(6) (includes Payments to shareholders and limited partners)	8200-052	4,239.24
<b>TOTAL FUNDS PAID TO DEBTOR &amp; THIRD PARTIES</b>			<b>\$ 1,677,756.46</b>

**EXHIBIT 3 – SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	RICHARD SAMES	4110-000	NA	51,890.99	51,890.99	51,890.99

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	BRUCE WERSTAK	4210-000	NA	51,890.99	51,890.99	51,890.99
<b>TOTAL SECURED CLAIMS</b>			<b>\$ NA</b>	<b>\$ 103,781.98</b>	<b>\$ 103,781.98</b>	<b>\$ 103,781.98</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TRUSTEE COMPENSATION:RANDOLPH N. OSHEROW	2100-000	NA	86,651.25	86,651.25	86,651.25
TRUSTEE EXPENSES:RANDOLPH N. OSHEROW	2200-000	NA	760.76	760.76	760.76
INTERNATIONAL SURETIES, LTD.	2300-000	NA	61.67	61.67	61.67
501 IMPERIAL PARTNERS, LP	2500-000	NA	50,000.00	50,000.00	50,000.00
RANDOLPH N. OSHEROW	2500-000	NA	50,000.00	50,000.00	50,000.00
STEWART TITLE COMPANY	2500-000	NA	12,553.38	12,553.38	12,553.38
BOK FINANCIAL	2600-000	NA	30.80	30.80	30.80
CLERK, U.S. BANKRUPTCY COURT	2700-000	NA	181.00	181.00	181.00
CITY OF LAREDO TAX COLLECTOR	2820-000	NA	3,940.57	3,940.57	3,940.57

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
UNITED ISD TAX COLLECTOR	2820-000	NA	633.89	633.89	633.89
WEBB COUNTY TAX COLLECTOR	2820-000	NA	375.63	375.63	375.63
ACCOUNTANT FOR TRUSTEE FEES (OTHER FIRM):JANET RAKOWITZ	3410-000	NA	1,000.00	1,000.00	1,000.00
REALTOR FOR TRUSTEE FEES (REAL ESTATE COMMISSIONS):LULA MORALES REALTY	3510-000	NA	55,050.00	55,050.00	55,050.00
REALTOR FOR TRUSTEE FEES (REAL ESTATE COMMISSIONS):MARTHA B. SANTOS	3510-000	NA	50,618.75	50,618.75	50,618.75
MARTINEZ SURVEYING & MAPPING CO.	3991-000	NA	2,273.25	2,273.25	2,273.25
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>\$ NA</b>	<b>\$ 314,130.95</b>	<b>\$ 314,130.95</b>	<b>\$ 314,130.95</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$ NA	\$ NA	\$ NA	\$ NA

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA	NA
TOTAL PRIORITY UNSECURED CLAIMS			\$ NA	\$ NA	\$ NA	\$ NA

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000001	A.L. HERNDEN ATTORNEY	7100-000	NA	44,500.00	44,500.00	44,500.00
000003	SAMES & WERSTAK LLP	7100-000	NA	27,510.00	27,510.00	27,510.00
000002	WILLIAM L. ESSEX	7100-000	NA	45,200.00	45,200.00	45,200.00
	A.L. HERNDEN ATTORNEY	7990-000	NA	NA	NA	213.01
	SAMES & WERSTAK LLP	7990-000	NA	NA	NA	131.69
	WILLIAM L. ESSEX	7990-000	NA	NA	NA	216.37

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
TOTAL GENERAL UNSECURED CLAIMS			\$ NA	\$ 117,210.00	\$ 117,210.00	\$ 117,771.07

**FORM 1****INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**

Page: 1

**ASSET CASES**

Exhibit 8

Case No: 17-50831 CAG Judge: CRAIG A. GARGOTTA - SAN ANTONIO

Trustee Name: RANDOLPH N. OSHEROW

Case Name: MANADAS CREEK PROPERTIES LLC

Date Filed (f) or Converted (c): 04/07/17 (f)

341(a) Meeting Date: 05/11/17

For Period Ending: 09/14/18

Claims Bar Date: 07/27/17

1	2	3	4	5	6	7	8
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Adm (FA)/ Gross Value of Remain Assets	Lien Amount	Exempt Amount
1. Lone Star Bank checking	1,300.00	0.00		0.00	FA	0.00	0.00
2. Land In Laredo, TX	35,460.00	35,460.00		1,151,065.46	FA	0.00	0.00
3. Land located Monaco Sub- 20.17 acres	100,850.00	100,850.00		1,062,375.00	FA	0.00	0.00
4. Draws given to Juanita Rone	Unknown	0.00		0.00	FA	0.00	0.00
TOTALS (Excluding Unknown Values)	\$137,610.00	\$136,310.00		\$2,213,440.46	\$0.00	\$0.00	\$0.00

---

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

sale closed; file with accountant for final tax returns; then final distribution; January 08, 2018,  
03:21 pm

Closing on 2nd tract scheduled for on or before 12/16 net sales price \$934,070.53; then do TFR  
December 04, 2017, 02:59 pm

RE PROP# 2---1/97 acres

Initial Projected Date of Final Report (TFR): 12/31/18

Current Projected Date of Final Report (TFR): 12/31/18



**FORM 2**

Page: 1

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD****Exhibit 9**

Case No: 17-50831 -CAG

Trustee Name: RANDOLPH N. OSHEROW

Case Name: MANADAS CREEK PROPERTIES LLC

Bank Name: BOK FINANCIAL

Account Number / CD #: 1150503378 Checking Account (Non-Interest Earn

Taxpayer ID No: 82-1498721

For Period Ending: 09/14/18

Blanket Bond (per case limit): \$ 66,500,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 07/14/17		TDB BALLEY DEVELOPMENT	Earnest money 16.96 acres Monaco Su	1110-000	50,000.00		50,000.00
07/14/17	3	Asset Sales Memo:	Land located Monaco Sub- 20.17 acres				50,000.00
			\$50,000.00				
C 07/31/17		BOK FINANCIAL	BANK SERVICE FEE	2600-000		30.80	49,969.20
C 08/16/17		STEWART TITLE COMPANY	SALE OF 11.96 ACRES MONACO BLVD.		848,827.21		898,796.41
		STEWART TITLE	Memo Amount: 1,012,375.00	1110-000			
			11.96 ACRES MONACO BLVD., LAREDO TX				
08/16/17	3	Asset Sales Memo:	Land located Monaco Sub- 20.17 acres				
			\$1,012,375.00				
		RANDOLPH N. OSHEROW	Memo Amount: ( 50,000.00 )	2500-000			
			EARNEST MONEY				
		RANDOLPH N. OSHEROW	Memo Amount: ( 53,621.25 )	2100-000			
			TRUSTEE COMMISSION				
		MARTHA B. SANTOS	Memo Amount: ( 50,618.75 )	3510-000			
			REALTOR COMMISSION				
		CITY OF LAREDO TAX COLLECTOR	Memo Amount: ( 3,622.71 )	2820-000			
			2017 TAXES				
		STEWART TITLE COMPANY	Memo Amount: ( 5,685.08 )	2500-000			
			CLOSING COSTS				
C 08/31/17	000101	MARTINEZ SURVEYING & MAPPING CO.	JOB DATE: AUGUST 30, 2017	3991-000		2,273.25	896,523.16
		8546 Broadway, Suite 225	JOB NO. 17-8-17				
		San Antonio, TX 78217					
C 09/20/17	000102	CLERK, U.S. BANKRUPTCY COURT	Payment per Doc. 24, 09/19/17	2700-000		181.00	896,342.16
C 10/06/17		LANGLEY & BANACK, INC.	SALE OF LAREDO, TX PROPERTY	1110-000	50,000.00		946,342.16
		TRUSTEE ACCOUNT					
10/06/17	2	Asset Sales Memo:	Land In Laredo, TX \$50,000.00				946,342.16
C 10/06/17	000103	A.L. Hernden Attorney				44,713.01	901,629.15
		222 E. Main Plaza					
		San Antonio Tx 78205					
			Claim 44,500.00	7100-000			901,629.15
			Interest 213.01	7990-000			901,629.15
C 10/06/17	000104	William L. Essex				45,416.37	856,212.78
		22802 Citron Circle					
		San Antonio TX 78260					
			Claim 45,200.00	7100-000			856,212.78
			Interest 216.37	7990-000			856,212.78
C 10/06/17	000105	Sames & Werstak LLP	(3-1) Legal Services			27,641.69	828,571.09
		6721 McPherson Road					
		Suite 360					
		Laredo, Texas 78041					
			Claim 27,510.00	7100-000			828,571.09
			Interest 131.69	7990-000			828,571.09
C 10/06/17	000106	WILLIAM L. ESSEX	EQUITY PAYMENT	8200-050		741,827.00	86,744.09
		22802 CITRON CIRCLE					
		SAN ANTONIO, TX 78260					
*C 10/06/17	000107	INTERNATIONAL SURETIES, LTD.	Bond # 016071777	2300-003		25.91	86,718.18
		701 POYDRAS STREET, SUITE 420	Term: 10/01/2017 to 10/01/2017				

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No: 17-50831 -CAG  
Case Name: MANADAS CREEK PROPERTIES LLC

Trustee Name: RANDOLPH N. OSHEROW  
Bank Name: BOK FINANCIAL  
Account Number / CD #: 1150503378 Checking Account (Non-Interest Earn)

Taxpayer ID No: 82-1498721

For Period Ending: 09/14/18

Blanket Bond (per case limit): \$ 66,500,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
*C 10/11/17	000107	NEW ORLEANS, LA 70139 INTERNATIONAL SURETIES, LTD. 701 POYDRAS STREET, SUITE 420 NEW ORLEANS, LA 70139	Bond # 016071777 wrong amount per case.	2300-003		-25.91	86,744.09
C 10/11/17	000108	INTERNATIONAL SURETIES, LTD. 701 POYDRAS STREET, SUITE 420 NEW ORLEANS, LA 70139	Bond #016071777 Term: 10/01/17 to 10/01/17	2300-000		61.67	86,682.42
C 12/15/17		STEWART TITLE COMPANY STEWART TITLE COMPANY	SALE OF LAREDO LAND Memo Amount: 1,101,065.46	1110-000	884,037.80		970,720.22
12/15/17	2	Asset Sales Memo: 501 IMPERIAL PARTNERS, LP	SALE OF 1016 MONACO BLVD. LAREDO Land In Laredo, TX \$1,101,065.46 Memo Amount: ( 50,000.00 )	2500-000			
		LULA MORALES REALTY	DEPOSIT /EARNST MONEY Memo Amount: ( 55,050.00 )	3510-000			
		STEWART TITLE COMPANY	COMMISSION PAID AT SETTLEMENT Memo Amount: ( 500.00 )	2500-000			
		STEWART TITLE COMPANY	CLOSING FEE TO Memo Amount: ( 3.00 )	2500-000			
		STEWART TITLE COMPANY	TEXAS POLICY GUARANTY Memo Amount: ( 43.30 )	2500-000			
		CITY OF LAREDO TAX COLLECTOR	TAX CERTIFICATE FEE Memo Amount: ( 317.86 )	2820-000			
		WEBB COUNTY TAX COLLECTOR	2017 CITY TAXES DUE TO LAREDO Memo Amount: ( 375.63 )	2820-000			
		UNITED ISD TAX COLLECTOR	2017 COUNTY TAXES DUE TO Memo Amount: ( 633.89 )	2820-000			
		STEWART TITLE COMPANY	2017 SCHOOL TAXES Memo Amount: ( 6,322.00 )	2500-000			
		BRUCE WERSTAK	OWNER'S TITLE INSURANCE Memo Amount: ( 51,890.99 )	4210-000			
		RICHARD SAMES	PROCEEDS TO BRUCE WERSTAK 5% Memo Amount: ( 51,890.99 )	4110-000			
C 12/27/17	000109	RANDOLPH N. OSHEROW 342 W. WOODLAWN, SUITE 100 SAN ANTONIO, TEXAS 78212-3314	PROCEEDS 5% TO RICHARD SAMES TRUSTEE COMMISSION \$33,030.00	2100-000		33,030.00	937,690.22
C 03/14/18	000110	JANET RAKOWITZ 11024 MACAWAY, #2 ADKINS, TEXAS 78101	Doc. 30, 03/12/18	3410-000		1,000.00	936,690.22
C 04/06/18	000111	WILLIAM L. ESSEX 22802 CITRON CIRCLE HOUSTON, TX 78260	EQUITY PAYMENT	8200-050		931,690.22	5,000.00
C 07/06/18	000112	RANDOLPH N. OSHEROW 342 West Woodlawn, Suite 100 San Antonio, TX 78212	Chapter 7 Expenses	2200-000		760.76	4,239.24
C 07/06/18	000113	WILLIAM L. ESSEX 22802 CITRON CIRCLE SAN ANTONIO, TX 78260	Equity Security Holder	8200-052		4,239.24	0.00

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No: 17-50831 -CAG

Case Name: MANADAS CREEK PROPERTIES LLC

Trustee Name: RANDOLPH N. OSHEROW

Bank Name: BOK FINANCIAL

Account Number / CD #: 1150503378 Checking Account (Non-Interest Earn

Taxpayer ID No: 82-1498721

For Period Ending: 09/14/18

Blanket Bond (per case limit): \$ 66,500,000.00

Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

\* Reversed

t Funds Transfer

C Bank Cleared

Memo Receipts: 2,113,440.46  
Memo Disbursements: 380,575.45  


---

Memo Allocation Net: 1,732,865.01

Account	Balance Forward	0.00		
1150503378	6 Deposits	1,832,865.01	14 Checks	1,832,834.21
	0 Interest Postings	0.00	1 Adjustments Out	30.80
			0 Transfers Out	0.00
	Subtotal	\$ 1,832,865.01	Total	\$ 1,832,865.01
	0 Adjustments In	0.00		
	0 Transfers In	0.00		
	Total	\$ 1,832,865.01		